

The PRESIDING OFFICER. Without objection, it is so ordered.

#### APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 4355(a), appoints the following Senators to the Board of Visitors of the U.S. Military Academy: the Senator from Indiana (Mr. COATS), from the Committee on Armed Services, and the Senator from Texas (Mrs. HUTCHISON), from the Committee on Appropriations.

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), appoints the following Senators to the Board of Visitors of the U.S. Air Force Academy: the Senator from Idaho (Mr. KEMPTHORNE), from the Committee on Armed Services, and the Senator from Montana (Mr. BURNS), from the Committee on Appropriations.

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 6968(a), appoints the following Senators to the Board of Visitors of the U.S. Naval Academy: the Senator from Arizona (Mr. MCCAIN), from the Committee on Armed Services, and the Senator from Mississippi (Mr. COCHRAN), from the Committee on Appropriations.

#### AUTHORIZING TESTIMONY, PRODUCTION OF DOCUMENTS AND REPRESENTATION BY SENATE LEGAL COUNSEL

Mr. BROWNBAC. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 218 submitted earlier today by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A resolution (S. Res. 218) to authorize testimony, production of documents, and representation by Senate legal counsel in a civil case.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, this resolution concerns a civil case pending in the Superior Court for the State of Arizona. Prior to the litigation, some of the defendants sought assistance from Senator MCCAIN's and Senator KYL's offices in connection with a child custody dispute. The plaintiffs in the ensuing litigation have alleged, among other things, that the defendants defamed them in connection with the custody dispute. The plaintiffs have now subpoenaed correspondence from the files of the offices of Senator MCCAIN and Senator KYL.

Senators MCCAIN and KYL are willing to provide the requested correspondence to the parties in this case. Accordingly, this resolution would authorize Senator MCCAIN's and Senator KYL's offices to produce and authenticate documents in this case, except where a privilege or objection should be asserted. The resolution also would authorize the Senate Legal Counsel to represent Senator MCCAIN's and Senator KYL's offices, to protect the Senate's privileges in connection with this matter.

Mr. BROWNBAC. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 218) was agreed to.

The preamble was agreed to.

The resolution (S. Res. 218), with its preamble, reads as follows:

#### S. RES. 218

Whereas, in the case of *Buroojy, et al. v. Walsh*, et al., Civil Case No. 97-91407, pending in the Superior Court of the State of Arizona, documents have been subpoenaed from the offices of Senator John McCain and Senator Jon Kyl;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent Members, officers, or employees of the Senate with respect to any subpoena, order, or request for evidence relating to their official responsibilities;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

*Resolved*, That employees of the offices of Senator McCain and Senator Kyl are authorized to testify and produce documents in the case of *Buroojy, et al. v. Walsh*, et al., except concerning matters for which a privilege or objection should be asserted.

SEC. 2. That the Senate Legal Counsel is authorized to represent Senator McCain and Senator Kyl and their employees in connection with the testimony and document production authorized in section one of this resolution.

#### ORDERS FOR TUESDAY, APRIL 28, 1998

Mr. BROWNBAC. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Tuesday, April 28. I further ask that on Tuesday, immediately following the

prayer, the routine requests through the morning hour be granted and the Senate then begin a period of morning business until 10:45 a.m. with Senators permitted to speak for up to 10 minutes each, with the following exceptions:

Senator COLLINS for up to 15 minutes;

Senator DORGAN for up to 15 minutes;

Senator COATS for up to 45 minutes beginning at 10 a.m..

I further ask that at the conclusion of morning business the Senate immediately proceed to executive session and resume consideration of the NATO enlargement treaty, and the Kyl amendment No. 2310 be temporarily set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBAC. Mr. President, I further ask that at 10:45 a.m. Senator HARKIN be recognized to offer an amendment and that there be 2 hours equally divided for debate on the amendment; further, that the vote on or in relation to the Harkin amendment occur immediately following the vote on the adoption of the State Department reorganization conference report previously ordered to occur at 2:25 p.m.; further, that no amendments be in order to the Harkin amendment prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBAC. I further ask unanimous consent that the Senate stand in recess from 12:45 p.m. until 2:15 p.m. to allow the weekly party caucuses to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. BROWNBAC. Mr. President, for the information of all Senators, the Senate will be in a period of morning business until 10:45 a.m. At 10:45, the Senate will resume consideration of the NATO enlargement treaty, with Senator HARKIN being recognized to offer an amendment with 2 hours of debate on the amendment equally divided. When the Senate reconvenes following the weekly party luncheons, there will be 10 minutes equally divided for closing remarks on the State Department reorganization conference report. Following that debate at 2:25 p.m., the Senate will proceed to two back-to-back votes, the first being a rollcall vote on adoption of the State Department conference report, followed immediately by a rollcall vote on or in relation to the Harkin amendment. Members can expect further rollcall votes throughout Tuesday's session on amendments to the NATO treaty, or on any other legislative or executive items that are cleared for action.